

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

GILBERT MICHAEL GALLEGOS,

Plaintiff,

v.

No. CV 13-0329 MCA/WPL

CURRY COUNTY DETENTION CENTER, et al.,

Defendants.

**ORDER TO SHOW CAUSE**

This matter is before the Court *sua sponte*. By order entered on May 21, 2013 (Doc. 7), the Court required Plaintiff to make an initial partial payment towards the filing fee. On May 28, 2013, Plaintiff sent notice of change of address (Doc. 8, filed June 3, 2013), stating that he had bonded out of jail. It appears that Plaintiff may not have received a copy of the May 21 order; to date, he has not made the initial payment.

Because Plaintiff was a prisoner when he filed his complaint, *see* § 1915(b), he is required to make the filing fee payment that was ordered on May 21, 2013. *See Robbins v. Switzer*, 104 F.3d 895, 899 (7th Cir. 1997). Having been released, Plaintiff will not be required to make further payments, *see Christensen v. Big Horn County Bd. of County Comm'rs*, 374 F. App'x 821, 830 (10th Cir. 2010), though he must submit an amended IFP motion, *see Robbins v. Switzer*, 104 F.3d at 899; *see also Scherer v. Kansas*, 263 F. App'x 667, 668-69 (10th Cir. 2008).

The Court will allow Plaintiff an additional fourteen days to comply with the Court's orders and statutory requirements, or to show cause for excusing the failure. Failure to timely comply with this Order may result in dismissal of this action without further notice.

**IT IS THEREFORE ORDERED** that, within fourteen (14) days from entry of this Order,

Plaintiff make the previously ordered partial filing fee payment of \$74.95 or show cause why the complaint should not be dismissed; and the Clerk is directed to mail to Plaintiff a copy of the order entered on May 21, 2013 (Doc. 7), with a copy of this Order, and an Application to Proceed Without Prepaying Fees or Costs.

*William P. Lynch*  
UNITED STATES MAGISTRATE JUDGE